



Montgomery County, Maryland

## COUNTY COUNCIL AGENDA

COUNCIL HEARING ROOM, 100 MARYLAND AVENUE, ROCKVILLE, MARYLAND 20850  
240/777 7900 • TTY 240/777-7914 • FAX 240/777-7989 • [www.co.mo.md.us/council](http://www.co.mo.md.us/council)

*The Council Agenda is subject to change any time after printing or during the Council meeting. Please contact the Council Office to obtain current information.*

*This meeting will be televised live on Channel 6; repeated on 5/10/02 at 8 pm and 5/11/02 at 9 am*

**Tuesday, May 7, 2002**

9:00 **INVOCATION** - Reverend Douglas Jones, Epiphany Lutheran Church, Silver Spring

9:05 **PRESENTATION** of the Margaret Cutler Intergenerational Leadership Award presented to Charles L. Short, Director, Health and Human Services, by Council President Steve Silverman; Austin Heyman, Interages' Founder and Board Member; Elaine Lessenco

9:10 **GENERAL BUSINESS**

**A. Announcements:**

- Agenda and Calendar Changes (Lauer)
- The public hearing on the Ceiling Element of the FY03 Annual Growth Policy will be held on June 4, 2002 at 1:30 pm.

B. **Action** - Approval of Minutes: April 23, 2002 (Edgar)

(1) C. **Acknowledgement** - Receipt of Petitions (McGuire)

(2) 9:15 **CONSENT CALENDAR**

A. **Introduction** - Resolution to approve WSSC System Development Charge (Levchenko)

B. **Introduction** - Supplemental Appropriation to Maryland-National Capital Park and Planning Commission's FY02 Capital Budget - \$1,151,000 for Bonifant Road Landfill Closure (Source: G.O. Bonds) (Michaelson)  
*Public Hearing/Action is scheduled for 6/4/02 at 1:30 pm.*

C. **Introduction** - Amendments to Maryland-National Capital Park and Planning Commission's FY02 Capital Budget and FY01-06 Capital Improvements Program - \$239,500, to implement transfers: (Michaelson)

- to South Germantown Recreational Park from Sligo Creek Golf Course and Northwest Branch Golf Course
- to White Oak Golf Course from Wheaton Ice Rink, Fairland Gunpowder Golf Center and Northwest Branch Golf Course

*Public Hearing/Action is scheduled for 6/4/02 at 1:30 pm.*

(2) 9:15 **CONSENT CALENDAR** (continued)

D. **Action** - Resolution to amend Resolution 14-889, FY02 Operating Budget, to amend the Designation of Entities for Non-Competitive Contract Award Status (Planell)

E. **Introduction** - Resolutions to create four Agricultural Districts: Suddath Property on Damascus Road in Gaithersburg; MDR Friendly Acres LLC; MDR Friends Advice LLC; and MDR Friends Ahoy LLC on Bucklodge Road in Boyds (Wilson)  
*Public Hearing/Action is scheduled for 6/4/02 at 1:30 pm.*

F. **Introduction** - Special Appropriation to the County Government's FY02 Operating Budget - \$73,000 for Independent Audit Non-Departmental Account (Source: General Fund Reserves) (Kimball)  
*Public Hearing/Action is scheduled for 5/14/02 at 1:30 pm.*

9:20 **LEGISLATIVE SESSION** Day #13

A. Approval of Legislative Journal - April 16, 2002 (Edgar)

B. Introduction of Bills

- (3) • **Bill 16-02**, Compensation - Elected Officials, sponsored by Council President at request of the Citizens' Advisory Committee to Study Compensation of County Executive, County Council, Sheriff, and State's Attorney (Faden)  
*Public Hearing is scheduled for 6/11/02 at 1:30 pm.*

(4) 9:25 **BOARD OF HEALTH** - Update from Dr. Garvey, County Health Officer (Planell)

10:10 **WORKSESSION - FY03 Operating Budget**

- |      |   |      |          |
|------|---|------|----------|
| (5)  | • Economic Development  | PHED | (Ferber) |
| (6)  | • Economic Development Fund   |      | (Ferber) |
| (7)  | • NDA: Conference Center  |      | (Ferber) |
| (8)  | • NDA: Conference and Visitor's Bureau                                    |      | (Ferber) |
| (9)  | • CIP: Budget adjustments, including Silver Spring Civic Building project |      | (Ferber) |
| (10) | • Montgomery College  | ED   | (Sherer) |
| (11) | • CIP: Budget Adjustments - Montgomery College                            |      | (Sherer) |

12:30 **RECESS**

(12) 1:30 **PUBLIC HEARING/ACTION** - Supplemental Appropriation to the County Government's FY02 Operating Budget, Department of Housing and Community Affairs - \$249,450 for HUD EDI Special Projects Grant (Source: Grant Funds from HUD) (Trombka)

(13) 1:30 **PUBLIC HEARING/ACTION** - Special Appropriation to the M-NCPPC FY02 Operating budget - \$150,000 for speed management and safety measures for Sligo Creek Parkway (Source: Current Revenue) (Orlin)  
*PHED Committee recommends approval.*

2:00 **WORKSESSION - FY03 Operating Budget**

- (14) • DPWT: Transportation T&E (Healy)
  - Fleet Management and Motor Pool Fund Contribution NDA
- (14.5) - CIP: CNG Fueling Station (Orlin/Healy)
  
- (15) • DPWT: Transportation T&E (Orlin)
  - General Fund
  - NDA Homeowners Association Roads Reimbursement
  - Parking Lot Districts
  - Mass Transit Fund
  - CIP: Transportation projects

4:00 **LEGISLATIVE SESSION** Day #13 *(continued)*

- C. Call of Bills for Final Reading
- (15.5) • **Bill 9-01**, County Employees - Collective Bargaining Units (Faden)  
*MFP Committee recommends approval with amendments.*

4:30 **ADJOURN**

- (16) 4:30 **Meeting** regarding Bi-County Budgets *(6th floor Council Conference Room)* (Farber)
  
- (17) 7:30 **PUBLIC HEARING** - Amendment to the Master Plan for Historic Preservation: Olney-Sandy Spring-Goshen Area Historic resources (Arthur)

**The following appointment was received from the County Executive and is scheduled for interview on May 13, 2002 and will be scheduled for confirmation at a later date:**

Assistant Chief, Department of Police: William C. O'Toole

**The following appointments were received from the County Executive and are tentatively scheduled for confirmation on May 14, 2002:**

Long Branch Task Force: Mrs. Wanjiru Kamau;

Community Action Board: Derik Perry; David McClellan; Thomas M. Sherman; Kathleen Guinan; Bonnie Birker; Sue Guenther; Blake M. Fetrow; Kenneth Shiotani;

Criminal Justice Coordinating Commission: Marlene Beckman

Silver Spring Recreation Advisory Board: Brenda Calhoun; Ray Farmer; Barbara Carry; Stacey Gurian-Sherman; Catherine Hill; Anne Marie Jackson; Jennifer Slotwinski; Adam J. Steiner; Sutonta Thumprasert

Commission on Landlord-Tenant Affairs: Kwaku D. Ofori; Jeffrey W. Burritt; Nereida Gonzalez; Vincent Gorman

Commission on Child Care: Elizabeth Molloy; Dionne Koller Fine; Alicia Muhammad; Harriet Berger; Naseem Hoque; Kelcey Rochelle Klass; Caroline Joe, M.D.; Susan K. Walker; Honorable Ann T. Somerset

Ethics Commission: Veronique M. Silverman

Strathmore Hall Foundation Board of Directors: Joyce Bonnett; Honorable William E. Hanna, Jr.

Library Board: Peter Goodstein; David Weisz

Board of License Commissioners: Maria Pena-Faustino

Bethesda Urban Partnership, Inc. Board of Directors: Jack D. Hayes

### COUNCIL MEETINGS

**Note: See the IN COMMITTEE for a listing of the Committee meetings currently scheduled.**

<b>May 6-17, 2002</b>	9:00 a.m.	Council Regular Sessions and Budget Worksessions
<b>May 23, 2002</b>		Action - CIP, Capital, and Operating Budgets
<b>May 27 -31, 2002</b>		Council Recess
<b>June 4, 2002</b>	8:30 a.m.	Breakfast Meeting with City of Gaithersburg
<b>June 4, 2002</b>	9:45 a.m.	Regular Session - Legislative Session
<b>June 11, 2002</b>	9:00 a.m.	Regular Session
<b>June 12, 2002</b>	10:00 a.m.	Town Meeting at Leisure World
<b>June 18, 2002</b>	9:00 a.m.	Regular Session - Legislative Session
<b>June 25, 2002</b>	9:00 a.m.	Regular Session

### Public Hearings

#### **May 14, 2002**

1:30 pm Resolution to Grant a Franchise Agreement for Telecommunications System in the Public Right-of-Way: FiberGate Inc.

1:30 pm Special Appropriation to the County Government's FY02 Operating Budget - \$73,000 for Independent Audit Non-Departmental Account (Source: General Fund Reserves)

#### **June 4, 2002**

1:30 pm Supplemental Appropriation to County Government's FY02 Capital Budget and amendment to the FY01-06 Capital Improvements Program, DPWT - \$5,208,000 for Grosvenor Metro Garage (Source: Current Revenue - WMATA Surcharge and State Aid)

1:30 pm Supplemental Appropriation to Maryland-National Capital Park and Planning Commission's FY02 Capital Budget - \$1,151,000 for Bonifant Road Landfill Closure (Source: G.O. Bonds)

1:30 pm Amendments to Maryland-National Capital Park and Planning Commission's FY02 Capital Budget and FY01-06 Capital Improvements Program - \$239,500, to implement transfers: to South Germantown Recreational Park from Sligo Creek Golf Course and Northwest Branch Golf Course; to White Oak Golf Course from Wheaton Ice Rink, Fairland Gunpowder Golf Center and Northwest Branch Golf Course

1:30 pm Ceiling Element of the FY03 Annual Growth Policy

1:30 pm Zoning Text Amendment 02-05, Planned Retirement Community Zone

1:30 pm Zoning Text Amendment 02-06, Cherry Hill Employment Overlay Zone - Permitted Uses

1:30 pm Resolutions to create four Agricultural Districts: Suddath Property on Damascus Road in Gaithersburg; MDR Friendly Acres LLC; MDR Friends Advice LLC; and MDR Friends Ahoy LLC on Bucklodge Road in Boyds

#### **June 11, 2002**

1:30 pm Zoning Text Amendment 02-04, Mixed Residential and Commercial Uses - C-2

1:30 pm **Bill 16-02**, Compensation - Elected Officials



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**COUNCIL SEEKS APPLICANTS FOR POSITION OF  
CHAIRMAN OF THE MONTGOMERY COUNTY PLANNING BOARD**  
**Deadline Noon, May 31, 2002**

The Montgomery County Council is seeking applicants to succeed Arthur Holmes, Jr. as Chairman of the Montgomery County Planning Board. Mr. Holmes' term will expire on June 14, 2002, and he is ineligible for reappointment.

No more than three members of the Planning Board may be from the same political party, and all members must be residents and registered voters of Montgomery County when appointed. Members serve four-year terms and are limited to two full terms. This position can be filled by a Democrat (D), Republican (R), or an Independent (I). Current members are: Arthur Holmes, Jr. Chairman (D), Allison Bryant (R), Wendy Collins Perdue (D), John Robinson (D), and Meredith K. Wellington (R). In appointing a Chairman for the Board, the Council will establish the salary for the Chairman within a range of \$120,000 to \$150,000.

The Planning Board serves as the Council's principal adviser on land use planning and community planning. Planning Board members also serve as Commissioners of the Maryland-National Capital Park and Planning Commission. Some of the Board's responsibilities with regard to planning are: 1) preparation and amendment of the County General Plan; 2) preparation and amendment of the Master Plans and functional plans; 3) formulation of subdivision regulations; 4) preparation of or recommendations on Text Amendments to the Zoning Ordinance; 5) implementation of the subdivision process by reviewing and approving all preliminary plans, site plans, and other plans for development; 6) advice on the planning implication of capital facilities and programs of the County Government, Montgomery College, WSSC and Montgomery County Public Schools; and 7) approval of the work program and the annual operating budget for the Park and Planning Department and Central Administrative Services.

The Planning Board sits as the Park Commission and approves the annual operating budget and Capital Improvements Program for the County park system, land acquisition contracts and major development contracts for parks, development plans for individual park facilities, policies for park operations, and park user fees. These functions require a meeting at least once each month.

The Montgomery County Planning Board meets all day every Thursday. The entire Maryland-National Capital Park and Planning Commission meets the second Wednesday of every month. Two full days a week are spent in meetings. Substantial additional time is required for preparatory work and other activities related to Planning Board responsibilities.

The Chairman's responsibilities are to perform a leadership role with respect to the Montgomery County portion of the Commission as well as to chair the meetings of the Planning Board; to assist in developing overall vision and direction for the Commission; to oversee the functioning of the Montgomery County Planning Board staff; to provide guidance on preparation of budgets by Park and Planning Department staff for presentation to the Board; to represent the Planning Board at official meetings; to present the Planning Board's position, especially before the County Council; and to serve as Chairman or Vice Chairman of the Maryland-National Capital Park and Planning Commission as well as to carry out other customary duties of the office.

Letters expressing interest in being considered for the position, including a resume, should be addressed to Council President Steven A. Silverman and must be **received** in the Council Office, Stella B. Werner Council Office Building, 100 Maryland Avenue, Rockville, Maryland 20850, **no later than noon on Friday, May 31, 2002**. It is the Council's policy not to consider applications received after the deadline. After the May 31 closing date, Councilmembers will review the letters of application and select applicants for interviews to be held in June or July.

The names of all applicants are published and available for public review, and interviews are conducted in public. A resume of professional and civic experience should be included with letters of application. A financial statement of assets, debts, income, and family property interests will be required of all applicants; only the candidate appointed will be required to make the financial statement available to the public.